

## **REMARKS – GENERAL**

By the above amendment, Applicant has rewritten all claims to define the invention more particularly and distinctly so as to overcome the technical rejections and define the invention patentably over the prior art.

### **Objection To The Drawings Under 37 CFR 1.84**

The petitioner acknowledges that the drawings are informal, and will make the drawings formal immediately upon the examiners allowance of the claims.

### **Claim Objections**

Claim 11 was objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 11 has been canceled.

Claim rejections 35USC 112 second paragraph is duly noted by the petitioner.

Claim 3 was rejected under 35 USC 112 as being indefinite. Claim 3 has been canceled.

Claim rejections 35 USC 102 appropriate paragraphs have been duly noted by the petitioner.

Claims 1,2 and 8-10 were rejected under 35USC 102(b) as being anticipated by Stimson (4823419) which discloses a multi purpose kitchen utensil having a foldable handle. The Stimpson patent also teaches that the handle is joined by an elastic cord. The petitioner has rewritten the claim (Claim 12) to emphasize that the petitioner's invention includes a foldable handle that is releasably joined as shown in Figure 3. That is, portions 80 and 82 that join the two handle members can be separated so that each handle member can function independently of the other. This feature is novel and important in that it allows the user to have two separate utensils when so desired, or to have the two handle portions be attached by an elastic cord for other useful applications.

The petitioner has also added language to new Claim 12 stating that one end of a handle portion includes a receiving aperture 11 as shown in Figure 5 that is capable of easily removably retaining a shaft such as shaft 304 shown in Figure 6 thereby making the handle capable of retaining a variety of cooking tools. This feature is not disclosed in the Stimson patent or other patents sited by the Examiner and is deemed novel by the petitioner.

Although prior knife art does show the removal and replacement of a blade, such as a utility knife, the blades tend to be more difficult to remove and therefore take more time to remove and replace than the petitioner's invention. Although other consumer products include removable and replaceable components, they do not incorporate the other features included in the petitioner's claims and should be considered outside the scope of the petitioner's invention. The petitioner is requesting allowance of claim 12 based on the novel combination and attachment means of components that are otherwise known in the art.

Claim Rejections 35 USC 103 discussion of obviousness is duly noted by the petitioner.

Claim 6 was rejected under 35 USC 103(a) as being unpatentable over Stimpson (4823419) in view of Haddock (4716947). Claim 6 has been canceled.

Claim 7 was rejected under 35 USC 103(a) as being unpatentable over Stimpson in view of Elsener (D433915) and Grotz (3406450) .Claim 7 has been canceled.

Claims 4 and 5 are objected to as being dependent upon a rejected claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 4 and 5 are canceled and written new in Claims 13 and 14.

## **CONCLUSION**

For all the above reasons, applicant submits that the specification and claims are now in proper form, and that the claims all define patentably over the

prior art. Therefore he submits that this application is now in condition for allowance, which action he respectfully solicits.

**Conditional Request for Constructive Assistance**

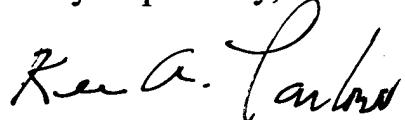
Applicant has amended the specification and claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive

assistance and suggestions of the Examiner pursuant to MPEP 2173.02 and 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

**LATE FEE**

A late fee of \$225.00 has been included with this Amendment

Very respectfully,

A handwritten signature in black ink, appearing to read "Ken A. Tarlow".

Kenneth A. Tarlow

**DRAWINGS:**

The drawings were not accepted by the examiner because of not meeting the requirements under 37 CFR 1.84. The applicant will make the drawings final upon allowance of claims by the examiner.